

### **REMARKS/ARGUMENTS**

Reconsideration is respectfully requested in view of the amendments and remarks herein. Applicants appreciate the indication in the Office Action that claim 15 would be allowable if the claim objection set forth in the Office Action is overcome. Moreover, Applicants appreciate the indication in the Office Action that claim 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants also appreciate the indication in the Office Action that claim 1 would be allowable if limited to the R<sup>1</sup> and R<sup>2</sup> pairing of Glu-Thr and Thr-Lys.

### **Status of the Claims**

Claims 1-15 are pending in the application. Claims 4-7 and 11-14 have been withdrawn from consideration.

### **Discussion of the Amendments to the Claims**

The claims have been amended to advance prosecution. In particular, claim 1 has been amended to recite that R<sup>1</sup> is Glu-Thr and to recite that R<sup>2</sup> is Thr-Lys. Moreover, claim 1 has been amended to change “form” to --from--, thereby correcting an obvious typographical error. Claim 10 has been amended to depend from claim 1. Claims 2-9 and 11-14 have been cancelled. Claim 15 has been amended to recite SEQ ID NO:21. Applicants reserve the right to pursue the cancelled subject matter, including cancelled non-elected subject matter, in one or more divisional applications. No new matter has been added by way of the amendments to the claims.

### **Response to Claim Objections – Claims 1, 2, and 15**

Claims 1 and 2 have been objected to as reciting non-elected inventions (pairings other than AB and BC and species not falling within the AB/BC pairing). Claim 15 has been objected to as reciting a sequence without a sequence identifier.

Application No.: 10/579,104

Amendment and Response dated January 14, 2011

Docket No.: 753-65 PCT/US

Page 6

Claim 1 has been amended to recite that R<sup>1</sup> is Glu-Thr and to recite that R<sup>2</sup> is Thr-Lys. Applicants respectfully submit that the amendment to claim 1 renders the objection with regard to claim 1 moot.

Claim 2 has been cancelled. The cancellation of claim 2 renders the objection with regard to claim 2 moot.

Claim 15 has been amended to recite SEQ ID NO:21. Applicants respectfully submit that the amendment to claim 15 renders the objection with regard to claim 15 moot.

In view of the foregoing, withdrawal of the claim objections with respect to claims 1, 2, and 15 is respectfully requested.

#### **Response to the Claim Objection – Claim 9**

Claim 9 has been objected to under 37 CFR 1.75(c) as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 9 has been cancelled. The cancellation of claim 9 renders the objection with regard to claim 9 moot.

#### **Response to the Rejection under 35 U.S.C. §112, Second Paragraph**

Claims 2 and 10 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the Examiner has alleged that claim 2 lacks clear antecedent basis.

Claim 2 has been cancelled. The cancellation of claim 2 renders the rejection with regard to claim 2 moot.

Claim 10 has been amended to depend from claim 1. Applicants respectfully submit that amended claim 10 is definite.

Application No.: 10/579,104

Amendment and Response dated January 14, 2011

Docket No.: 753-65 PCT/US

Page 7

In view of the foregoing, withdrawal of the rejection under 35 U.S.C. §112, second paragraph, with respect to claims 2 and 10 is respectfully requested.

**Response to the Rejection under 35 U.S.C. §102(b) in view of Wrighton**

Claims 1, 2, 8, and 9 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Wrighton (N.C. Wrighton et al. Science (1996) 273, pages 458-463).

Reconsideration is respectfully requested in view of the amendments and remarks herein.

To advance prosecution, claim 1 has been amended to recite that R<sup>1</sup> is Glu-Thr and that R<sup>2</sup> is Thr-Lys. Wrighton fails to disclose the subject matter of amended claim 1.

Claims 2, 8, and 9 have been cancelled. The cancellation of claims 2 and 8-9 renders the rejection with respect to those claims moot.

In view of the foregoing, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. §102(b) of claims 1-2 and 8-9 in view of Wrighton.

**Response to the Rejection under 35 U.S.C. §102(b) in view of Boucher**

Claims 1-3 and 8-10 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by WO 00/62815 A2 to Boucher (hereinafter “Boucher”). Reconsideration is respectfully requested in view of the amendments and remarks herein.

To advance prosecution, claim 1 has been amended to recite that R<sup>1</sup> is Glu-Thr and that R<sup>2</sup> is Thr-Lys. Boucher fails to disclose the subject matter of amended claim 1.

Claims 2-3 and 8-9 have been cancelled. The cancellation of claims 2-3 and 8-9 renders the rejection under 35 U.S.C. §102(b) with respect to those claims moot.

Application No.: 10/579,104  
Amendment and Response dated January 14, 2011  
Docket No.: 753-65 PCT/US  
Page 8

Claim 10 has been amended to depend from claim 1. Boucher fails to disclose the subject matter of amended claim 10.

In view of the foregoing, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. §102(b) of claims 1-3 and 8-10 in view of Boucher.

**Concluding Remarks**

No fees are deemed due. However, the Commissioner is hereby authorized to charge payment of any fees associated with this communication, including any claim fees, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

If there are any questions, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

  
\_\_\_\_\_  
Andrea M. Wilkovich  
Registration No.: 53,773

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700